

Memo

To: Whom It May Concern

From: State of Utah / Division of Risk Management

Date: April 3, 2001

FYI: 15 Passenger Van Safety Issues

Recent media attention regarding van accidents, Risk Management's significant claims experience with institutional vehicles and travel policies, and a report from the National Highway Traffic Safety Institute (NHTSA) on the risks associated with the use of fifteen passenger vans have drawn attention to problems associated with the use of fifteen passenger vans in particular and with the use of institutional vehicles in general. We at Risk Management recognize that many of the state's colleges and universities are currently in the process of reviewing their general travel and vehicle use policies. It is our desire to assist in this process.

To better protect the lives of those attending you institution and to protect the property of the institution, Risk Management is issuing this cautionary warning. In the last five months, clients of Risk Management have experienced a number of accidents involving fifteen passenger or other vans. Based on Risk Management's review, the facts and recommendations contained in the NHTSA report and the details of the accidents that have resulted in claims, we conclude that certain actions and activities could have prevented or reduced the severity of these and other accidents. A recap of the van accidents in the last five months is as follows:

A university intramural team traveling in a fifteen-passenger van with six occupants rolled over, critically injuring one student and injuring the other occupants. Several factors contributed to the accident. These factors included adverse weather conditions, beginning the trip at 8:30 in the evening and continuing to drive until 3:00 am when the accident occurred, traveling too fast for the weather conditions, and not wearing seat belts.

A university band group traveling in a fifteen-passenger van with six occupants rolled over injuring several students. Several factors that contributed to the accident included adverse weather conditions, traveling too fast for the weather conditions, and not knowing how to disengage the cruise control properly under the weather conditions.

A college debate team traveling in a fifteen-passenger van with six occupants rolled over injuring several students. Several factors that contributed to the accident included bad weather conditions, driving for too long over an extended period of time, improperly releasing the cruise control under adverse weather conditions, and driver fatigue.

A state agency group traveling in a fifteen-passenger van with ten occupants rolled with several occupants receiving serious injuries, including one individual being rendered quadriplegic. Others in the vehicle needed serious medical attention. Several factors contributed to the accident, including the driver being distracted and some of the passengers not wearing seat belts.

A college group traveling in a fifteen-passenger van rear-ended a vehicle in front, which caused a chain reaction accident with serious injuries to two of the passengers and numerous occupants needing medical attention. The accident was attributed to the driver not being familiar with the operation of the vehicle and need for a longer braking distances in vehicles of this type.

A high school debate team traveling in a seven passenger van with six occupants rolled over with two students being killed, two students receiving serious injuries with the others needing medical attention. Several of the factors that contributed to the accident included driving late at night, excessive speed, driving for an extended period of time leading to driver fatigue, absence of approved relief driver and passengers not wearing seat belts.

In addition, over the past few years other significant van accidents have occurred. These include:

A college dance team of five people traveling in a fifteen-passenger van who became involved in an out of state accident in which the driver fell asleep at the wheel resulting in a glancing head-on collision after which the van rolled. The accident resulted in a number of injuries to the students and the driver of the other vehicle and is in litigation. The factors that contributed to this accident included driving all night, the student driver being fatigued and allegedly being required to drive in spite of her protestations that she was too sleepy to drive.

A university sports team traveling in two fifteen-passenger vans became involved in an accident where one van ran into the back of the university van in front of it. The accident resulted in serious injuries to one of the passengers who experienced a broken neck as well as injuries to other passengers. The accident and resulting injuries were attributed to the driver of the second van traveling too fast and being too close to the vehicles in front of him in adverse weather conditions, convoying too closely, and failing to properly use seat belts.

A university engineering group traveling in a fifteen-passenger van rolled the vehicle in bad weather conditions. Factors contributing to the accident included excessive speed for the weather conditions and the driver using the brake to disengage the cruise control, causing the van to go into a skid and causing the rollover.

A college performing group of fourteen students were traveling in a fifteen-passenger van pulling a trailer that was filled with their equipment. The driver lost control of the van when the trailer jack-knifed and caused the van and trailer to roll. Some of the students were injured. The identified factors in this accident included speeds too fast for slick roads and lack of driver experience in pulling a trailer in these conditions.

Many of these accidents have taken place outside the State of Utah where Utah Governmental Immunity caps on awards are not applicable. The final costs of most of these accidents have not been determined, but they will be expensive to resolve.

After reviewing these accidents, as well as many others, there are a number of common risk factors that are present that should be addressed in general travel policies and procedures. Recommendations have been developed to address both general travel policies for all travel and vehicle situations as well as specific issues associated with the use of fifteen-passenger and other vans. Risk Management strongly recommends and urges that the following be included in your travel policies:

Only experienced drivers should be authorized to drive passenger vans. These drivers should be at least 21 years old. Drivers should have a valid driver's license with no moving violations within the past 12 months. Approved drivers must have experience operating the vehicles that they intend to drive and must pass institutional van driving programs.

The colleges and universities should develop van-driving programs requiring drivers to spend significant time actually driving the vehicles that they will be operating. Specific additional training and drive time should be provided for anyone who will be driving a fifteen-passenger van. If the van drivers will also be pulling trailers, they should also have experience in driving a van with a trailer attached.

The National Highway Traffic Safety Administration (NHTSA) reports that, "...fifteen-passenger vans with ten or more occupants had three times the rollover ratio than those with fewer than ten occupants." These vans should not carry more than nine occupants, including the driver.

There should be more than one authorized driver for trips over 4 hours in duration. No driver should drive for more than four hours without having someone else drive for at least two hours. It is also suggested that every driver frequently stop for rest breaks.

Seat belts must be work at all times by all the occupants.

Travel in adverse or stormy weather conditions should be discouraged. Travel plans should allow time for bad weather conditions and stopovers. Travel plans and weather conditions should be reviewed and approved by a university or college traffic dispatcher before any van is checked out. Authority should be given for a dispatcher or other authorized individual to decline to allow a trip to proceed based on the factors discussed in this letter.

Under no conditions should driving be allowed between 11:00 p.m. and 5:00 a.m. No overnight driving trips should be allowed. Total daily driving time should not exceed 12 hours without a sleep break at a motel, campsite, or other approved location.

Drivers must not exceed the posted speed limit. In addition, drivers should slow down if adverse weather conditions exist. Many accidents have occurred because of driving too fast for the weather conditions. Drivers should be cautioned and trained in the use of the cruise control on slick roads. Using brakes to disengage the cruise control on slick roads is discouraged since it may place the vehicle in a skid.

Vehicles should not be overloaded with equipment and all equipment and spare tires must be properly secured. Passengers have been injured in accidents by being struck by equipment that was not properly secured. The NHTSA study also stated that overloading fifteen-passenger vans contributed to accidents.

Drivers should take sufficient time before the trip begins to become familiar with the locations of lights and windshield wipers and other switches on the instrument panel. If the van has cruise control, the driver must understand how to operate the cruise control under all circumstances. A number of accidents have occurred because the driver was distracted trying to find a switch or button.

Risk Management strongly urges you implement the above recommendation as you review your vehicle travel policies and procedures.

Risk Management is beginning a rule making process to address risk control standards and coverage provisions. These rules will provide policy guidance and financial incentives to support safe vehicle operation for your staff and students.

Risk Management invites your institution to participate in this process. If you are interested in participating, please contact either Steve Hewlett or Mike Sanders at 538-9560.

This is a recommendation pursuant to and protected by UCA 63A-4-206.